

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2022-66-T - ORDER NO. 2022-276

MAY 13, 2022

IN RE:	Application of Upward Endeavors, LLC d/b/a)	ORDER APPROVING
	Two Men and a Truck of Greenville, to)	TARIFF AMENDMENTS
	Amend Current Tariff and Request for)	
	Waiver of Publication)	

I. INTRODUCTION

This matter comes before the Public Service Commission of South Carolina (Commission) by the February 8, 2022 application of Upward Endeavors, LLC d/b/a Two Men and a Truck of Greenville (Upward Endeavors) seeking approval to amend its tariff and requesting a waiver of publication. We approve the application as set forth in this Order.

II. FACTS AND PROCEDURAL HISTORY

By way of background, the Commission granted Upward Endeavors Class E certification as a household goods mover in 2002 by approving the transfer of the certificate of Nellie O'Brien, Inc. to Upward Endeavors in Order No. 2002-219¹. Upward Endeavors filed the current application on February 8, 2022, asking to amend its tariff. Also on February 8, 2022, the company filed an Amended Tariff.

The South Carolina Office of Regulatory Staff (ORS), a party of record pursuant to Section 58-41-10(B) of the South Carolina Code of Laws (Supp. 2021), notified the

¹ See Docket No. 2002-25-T.

Commission on February 8, 2022, Benjamin P. Mustian, Esquire, would appear on behalf of ORS in this Docket.

On February 15, 2022, the Clerk's Office of the Commission issued a Notice of Filing summarizing the proposed tariff changes:

1.1 – Hourly Rates and Charges

Weekdays (Monday – Thursday)

	0 – 60 miles	61 + miles
Hourly rate per one mover, residential	\$100.00/hour	\$115.00/hour
Hourly rate per two movers, residential	\$130.00/hour	\$145.00/hour
Hourly rate per three movers, residential	\$180.00/hour	\$195.00/hour
Additional movers	\$50.00/hour	
Additional truck	\$60.00/hour	

Weekends (Friday, Saturday, and Sunday)

	0 – 60 miles	61 + miles
Hourly rate per one mover, residential	\$110.00/hour	\$125.00/hour
Hourly rate per two movers, residential	\$140.00/hour	\$155.00/hour
Hourly rate per three movers, residential	\$190.00/hour	\$205.00/hour
Additional movers	\$50.00/hour	
Additional truck	\$60.00/hour	

Additional trucks over one will be billed at the rates set forth above.

2.1 – Bulky Article Charges (per item)

2.1.1 – Tanning Beds – To move a tanning bed, alone or along with other household goods, there is a flat charge of \$125 in addition to the appropriate hourly rate as set forth in Section 1.1 above. The two-hour minimum applies when moving a tanning bed, and additional time will be charged in fifteen-minute increments.

2.1.2 – Fire-proof file cabinets and safes, floor model copiers – To move these items alone or along with other household goods (first floor to first floor only unless there is an elevator available), is a flat charge of \$125 in addition to the appropriate hourly rate as set forth in Section 1.1 above. The two-hour minimum applies when moving a tanning bed, and additional time will be charged in fifteen-minute increments.

2.2.1 – Spinnet, console or studio pianos – For moving a spinnet, console, or studio piano, (first floor to first floor only, unless there is an elevator available), alone or along with other household goods, there is a fee of \$125 in addition to the appropriate hourly rate as set forth in Section 1.1 above. The two-hour minimum applies when moving a spinnet, console, or studio piano, and additional time will be charged in fifteen-minute increments.

2.2.2 – Upright pianos (48 inches or taller) - For moving an upright piano (first floor to first floor only, unless there is an elevator available), alone or along with other household goods, there is a fee of \$150 in addition to the appropriate hourly rate as set forth in the section above. The two-hour minimum applies when moving an upright piano, and additional time will be charged in fifteen-minute increments.

2.2.3 – Baby Grand pianos - For moving a baby grand piano (first floor to first floor only, unless there is an elevator available), alone or along with other household goods, there is a fee of \$200 in addition to the appropriate hourly rate as set forth in the section above. The two-hour minimum applies when moving a baby grand piano, and additional time will be charged in fifteen-minute increments.

2.6 – Packing and Unpacking - We do not charge an additional fee for packing and unpacking. The packing is the same rate as the hourly rate listed in Section 1; plus the cost of packing materials and sales tax on the materials. We are not responsible for items packed by the customer. Boxes containing fragile or breakable items must be properly labeled. We reserve the right to decline any moves consisting of extremely large or fragile items.

2.9 – Overnight Storage – Overnight storage of customer's items on truck will be charged as a rate of \$250 per night.

2.10 – Hotel Fee – For moves within South Carolina totaling more than 150 miles one way, there will be a hotel fee of \$250 for two men or \$350 for three men per night.

2.11 – Holding Fee – If customer needs items held on a truck on a scheduled move day, the customer will be charged a fee of \$400.00 for up to (4) hours. If the time exceeds 4 hours, the fee will be \$600.

3.1 - CLAIMS

Although our movers will be careful with your possessions, from time to time damages may occur. If damages are caused by our service, we reserve the right to repair the damage(s) in question or compensate at the level of coverage chosen, as set forth below. If we determine that damage(s) cannot be repaired, customer will be compensated based on the level of coverage chosen, as set forth below.

The Notice of Filing required anyone interested in participating in the Docket as a party of record to file a petition to intervene by March 23, 2022. No party intervened. The Notice stated a copy of the Application would be filed on the Commission's website and would be available by contacting the company.

Upon request, Upward Endeavors provided the Commission with justification for the company's request for amendment in this Docket by correspondence dated March 29, 2022:

Upward Endeavors, LLC d/b/a Two Men and a Truck [of] Greenville is requesting to amend its tariff. We are requesting changes to the current tariff to keep our company in line with increasing costs in areas to include but not limited to supplies (moving equipment, boxes, shrink wrap, etc[.]), drastically increasing fuel prices, increased truck prices for new or used equipment, increased labor costs, and

increased costs of insurance and workers compensation coverage.

Along with the increases in expenses have come decreases in the availability of trucks, moving supplies, and workforce. With these decreases we have had to keep trucks and equipment longer than budgeted [thereby] increasing our repair costs[.] [Shortage of labor has forced higher pay rates, more incentives, and increased recruiting and retention expenses.

We feel the amendments to our tariff will not only help Upward Endeavors serve our customers properly and to their satisfaction, but will also enable us to create a better and longer lasting work environment for our employees.

On April 7, 2022, the Commission issued Directive Order No. 2022-236, carrying the matter over at is Business Meeting “until we receive the results of the ORS impact study.”

On April 11, 2022, ORS filed correspondence providing the Commission with the results of its review of the application of Upward Endeavors. ORS noted:

ORS conducted a compliance review of Upward Endeavors on April 8, 2022, and found it to be in compliance with Commission rules and regulations. . . . ORS has not received any consumer complaints related to Upward Endeavors in the past 12 months . . . Upward Endeavors is in compliance with Annual Report and Gross Receipt filing requirements.

ORS also provided a chart regarding the increase in rates and charges the company proposes:

	Description	Unit	Approved Rate	Proposed Rate	Increase Amount	% Increase
Rates Per Hour						
Weekday (Mon-Thurs)	Rate per one mover, residential 0-60 miles	Per Hour	\$90.00	\$100.00	\$10.00	11.11%
	Rate per one mover, residential 61+ miles	Per Hour	\$90.00	\$115.00	\$25.00	27.78%
	Rate per two movers, residential 0-60 miles	Per Hour	\$120.00	\$130.00	\$10.00	8.33%
	Rate per two movers, residential 61+ miles	Per Hour	\$135.00	\$145.00	\$10.00	7.41%
	Rate per three movers, residential 0-60 miles	Per Hour	\$155.00	\$180.00	\$25.00	16.13%
	Rate per three movers, residential 61+ miles	Per Hour	\$170.00	\$195.00	\$25.00	14.71%
	Rate per one movers, residential 0-60 miles	Per Hour	\$100.00	\$110.00	\$10.00	10.00%
	Rate per one movers, residential 61+ miles	Per Hour	\$100.00	\$125.00	\$25.00	25.00%
Weekend (Fri, Sat, Sun)	Rate per two movers, residential 0-60 miles	Per Hour	\$130.00	\$140.00	\$10.00	7.69%
	Rate per two movers, residential 61+ miles	Per Hour	\$130.00	\$155.00	\$25.00	19.23%
	Rate per three movers, residential 0-60 miles	Per Hour	\$165.00	\$190.00	\$25.00	15.15%
	Rate per three movers, residential 61+ miles	Per Hour	\$165.00	\$205.00	\$40.00	24.24%
	Additional Man	Per Hour	\$40.00	\$50.00	\$10.00	25.00%
	Additional Truck	Per Hour	\$50.00	\$60.00	\$10.00	20.00%
	Tanning Beds	Each	\$90.00	\$125.00	\$35.00	38.89%
	Fire proof file cabinets, safes, floor model copiers	Each	\$90.00	\$125.00	\$35.00	38.89%
Bulky Articles	Spinnet, console, or studio piano	Each	\$90.00	\$125.00	\$35.00	38.89%
	Upright Pianos	Each	\$120.00	\$150.00	\$30.00	25.00%
	Baby Grand Pianos	Each	\$150.00	\$200.00	\$50.00	33.33%
	Overnight Storage	Per Night	\$200.00	\$250.00	\$50.00	25.00%
Additional Services	Hotel Fee-three men (> 150 miles one way)	Per Night	\$300.00	\$350.00	\$50.00	16.67%
	Holding Fee	>4 hours on truck	\$300.00	\$400.00	\$100.00	33.33%

On April 14, 2022, the Commission took action to “grant the application of Upward Endeavors to amend its tariff.” (Commission Directive dated April 14, 2022).

III. LAW

The Commission is specifically authorized to regulate carriers of household goods, and to set their rates and charges: “[t]he commission must promulgate regulations necessary to control entry and certification standards, set rates and charges, and establish enforcement procedures and powers to govern the operations of carriers of household goods and hazardous waste for disposal.” S. C. Code Ann. § 58-23-590 (2015).

The Commission is authorized to fix or approve the rates charged by every South Carolina motor vehicle carrier: “[t]he commission shall regulate every motor

carrier in this State and fix or approve the rates, fares, charges, classifications, and regulations pertaining to each motor carrier The rates once established remain in effect until such time when the commission determines the rates are unreasonable.” § 58-23-1010.

The commission shall make, fix, establish, or allow just and reasonable rates, fares, charges, classifications, and rules for all motor carriers subject to its rate jurisdiction.

As often as circumstances may require, the commission upon notice and hearing, if deemed necessary, from time to time may change or revise, or cause to be changed or revised, any rates, fares, charges, classifications, and rules of a carrier who operates under a Certificate of PC&N.

S.C. Code of State Regulations 103-191 (2012).

“Every rate made, demanded, or received by any motor carrier operating under a Certificate of PC&N . . . shall be just and reasonable.” Reg. 103-192. Once rates are approved, motor carriers are prohibited from charging more or less than the rates specified in lawful tariffs, schedules, or by specific Order of the Commission:

[N]o motor carrier operating under a Certificate of PC&N shall charge . . . a greater or lesser or different compensation for transportation, or for any service rendered, than the rates, fares, and charges specified in the lawfully applicable tariffs or schedules in effect from time to time.

S.C. Code Ann. Regs. 103-198.

Every motor carrier of property operating under a Certificate of PC&N and FWA shall provide safe and adequate service, equipment, and facilities for the transportation of property, and shall establish, observe, and enforce just and reasonable regulations and practices relating thereto and to the manner and method of presenting, marking, packing, and delivering property for transportation, the facilities for transportation, and all other matters relating to or connected with the transportation of property.

S.C. Code Ann. Regs. 103-195.

In the exercise of its power to prescribe just and reasonable rates for the transportation of passengers or property by common carriers operating under a Certificate of PC&N, the Commission may give due consideration, among other factors, to the need in the public interest of adequate and efficient transportation service by such carriers at the lowest cost consistent with the furnishing of such service and to the need of such carriers for revenues sufficient to enable them, under economical and efficient management, to provide such service.

S.C. Code Ann. Regs. 103-194.

IV. FINDINGS OF FACT

1. Neither the Notice of Filing prepared by the Clerk's Office in this Docket, nor any other correspondence from the Clerk's Office, required publication of the Notice of Filing in a newspaper, and, thus, the request to waive publication is moot.

2. Upward Endeavors provided sufficient justification to the Commission for the request to amend its tariff.

3. ORS determined Upward Endeavors is in compliance with all applicable Commission rules and regulations, including the Annual Report and Gross Receipt filing requirements.

4. After review of the entire record, we find the proposed amendments to the tariff requested by Upward Endeavors are reasonable.

V. CONCLUSIONS OF LAW

1. The Commission has the authority to approve amendments to a motor carrier's tariffs as set forth in Sections 58-23-590 and 58-23-1010 of the South Carolina Code of Laws and Regulation 103-191 of the South Carolina Code of State Regulations.

2. The proposed amendments to the tariff are reasonable pursuant to Regulations 103-191 and 103-192.

VI. ORDERING PROVISIONS

IT IS THEREFORE ORDERED THAT:


1. The Application of Upward Endeavors, LLC d/b/a Two Men and a Truck of Greenville to amend its tariff is approved.

2. A copy of the Final Amended Tariff shall be attached hereto as Order Exhibit No. 1.

3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:





Florence P. Belser, Vice Chair
Public Service Commission of
South Carolina

**REGULATIONS AND SCHEDULE OF CHARGES APPLICABLE TO
CERTAIN INTRASTATE HOUSEHOLD GOODS MOVES WITHIN THE
STATE OF SOUTH CAROLINA**

Effective Date: _ _ _ _ _

Page 1 of 9

TABLE OF CONTENTS

1.0	TRANSPORTATION CHARGES.....	4
1.1	Hourly Rates and Charges	4
1.2	Minimum Hourly Charges	4
2.0	ADDITIONAL SERVICES	5
2.1	Bulky Article Charges (per item).....	5
2.1.1	Tanning Beds.....	5
2.1.2	Fire proof file cabinets and safes, floor model copiers.....	5
2.1.3	Other Bulky Items	5
2.1.4	Right to Decline to Move Items	5
2.2	Piano Charges.....	5
2.2.1	Spinet, console or studio pianos	5
2.2.2	Upright pianos (48 inches or taller).....	5
2.2.3	Baby grand pianos.....	6
2.2.4	Restrictions on Piano Moves.....	6
2.3	Elevator or Stair Carry	6
2.4	Excessive Distance or Long Carry Charges	6
2.5	Pick Up and Delivery	6
2.6	Packing and Unpacking.....	6
2.7	Articles, Special Servicing.....	6
2.8	Waiting Time	6
2.9	Overnight Storage.....	7
2.10	Hotel Fee.....	7
2.11	Holding Fee	7
3.0	RULES AND REGULATIONS	8
3.1	Claims	8
3.0.1	Basic Valuation.....	8
3.0.2	Full Replacement Coverage.....	8
3.2	Presentation of Claims.....	8
3.3	Governing Publications.....	9
3.4	Items of Particular Value	9
3.5	Bill of Lading, Contract Terms, and Conditions	9
3.6	Delays	9

Applicability of Tariff

This tariff contains the regulations and rates applicable to the provision of intrastate household goods moved by Two Men and a Truck of Greenville. These services are furnished between points and places in South Carolina.

Effective Date: _ _ _ _ _

Page 3 of 9

SECTION 1

1.0 TRANSPORTATION CHARGES

Transportation Charges include the hourly rates as listed below.

1.1 Hourly Rates and Charges

Moves will be conducted on a "straight time" basis, with a minimum hourly charge as set out below plus actual travel time. The clock starts at the appropriate hourly rate when the movers leave the Two Men and a Truck of Greenville office location (in either Greenville or Spartanburg), and the clock stops when the movers return back to the office once they have unloaded at the customers' new home. Hourly charge as set out below and determined by the total travel mileage from the load location (origin) to the unload location (destination) plus actual travel time.

Hourly Rates - Weekdays (Monday - Thursday)

	0-60 Miles	61+ Miles
Hourly rate per one mover, residential --	\$100.00/hour	\$115.00/hour
Hourly rate per two movers, residential --	\$130.00/hour	\$145.00/hour
Hourly rate per three movers, residential --	\$180.00/hour	\$195.00/hour
Additional movers: \$50.00/hour		
Additional truck: \$60.00/hour		

Hourly Rates - Weekends (Friday, Saturday, and Sunday)

	0-60 Miles	61+ Miles
Hourly rate per one mover, residential --	\$110.00/hour	\$125.00/hour
Hourly rate per two movers, residential --	\$140.00/hour	\$155.00/hour
Hourly rate per three movers, residential --	\$190.00/hour	\$205.00/hour
Additional movers: \$50.00/hour		
Additional truck: \$60.00/hour		

Additional trucks over one will be billed at the rates set forth above.

1.2 Minimum Hourly Charges

Customers will be charged a two-hour minimum, and then in fifteen-minute increments thereafter. If customers cancel within 48 hours of their move, Upward Endeavors will charge the applicable minimum.

Upward Endeavors, LLC d/b/a Two Men and a Truck of Greenville South Carolina Household Goods Tariff

SECTION 2

2.0 ADDITIONAL SERVICES

The following charges shall be assessed in addition to the hourly rates quoted in Section 1.1 of this tariff.

2.1 Bulky Article Charges (per item)

2.1.1 Tanning Beds

To move a tanning bed, alone or along with other household goods, there is a flat charge of \$125 in addition to the appropriate hourly rate as set forth in Section 1.1 above. The two-hour minimum applies when moving a tanning bed, and additional time will be charged in fifteen-minute increments.

2.1.2 Fire-proof file cabinets and safes, floor model copiers

To move these items alone or along with other household goods (first floor to first-floor only unless there is an elevator) is a flat charge of \$125 in addition to the appropriate hourly rate as set forth in Section 1.1 above. The two-hour minimum applies when moving any of these items, and additional time will be charged in fifteen-minute increments.

2.1.3 Other Bulky Items

Any bulky articles not listed above will be charged the same as the appropriate hourly rate.

2.1.4 Right to Decline to Move Items

Two Men and a Truck of Greenville reserves the right to decline, at its sole discretion, to move particular items because of their bulk or fragile nature. No slate top pool tables will be moved.

2.2 Piano Charges

2.2.1 Spinnet, console, or studio pianos:

For moving a spinnet, console, or studio piano, (first floor to first floor only unless an elevator is available), alone or along with other household goods there is a fee of \$125 in addition to the appropriate hourly rate as set forth in Section 1.1 above. The two-hour minimum applies when moving a spinnet, console or studio piano, and additional time will be charged in fifteen-minute increments.

2.2.2 Upright pianos (48 inches or taller)

For moving an upright piano (first floor to first floor only unless an elevator is available), alone or along with other household goods there is a fee of \$150.00 in addition to the appropriate hourly rate as set forth in Section above. The two-hour minimum applies when moving an upright piano, and additional time will be charged in fifteen-minute increments.

Upward Endeavors, LLC d/b/a Two Men and a Truck of Greenville South Carolina Household Goods Tariff

2.2.3 Baby grand pianos

For moving a baby grand piano (first floor to first floor only unless an elevator is available), alone or along with other household goods there is a fee of \$200.00 in addition to the appropriate hourly rate as set forth in Section 1.1 above. The two-hour minimum applies when moving a baby grand piano, and additional time will be charged in fifteen-minute increments.

2.2.4 Restrictions on Piano Moves

All other types of pianos not listed in this Section 2.2 will be referred to piano movers.

2.3 Elevator or Stair Carry

Two Men and a Truck of Greenville does not charge an additional fee for elevator or stair carry, except as specified in Section 2.1 above.

2.4 Excessive Distance or Long Carry Charges

Two Men and a Truck of Greenville does not charge customers an additional fee for carrying articles an excessive distance, long carry charges, articles, or special serving. These charges are the same as the appropriate hourly rate.

2.5 Pick Up and Delivery

Two Men and a Truck of Greenville does not charge an additional fee for making additional pick- ups or deliveries after the initial stop.

2.6 Packing and Unpacking

We do not charge an additional fee for packing and unpacking. The packing is the same rate as the hourly rate listed in section 1: plus the cost of packing materials and sales tax on the materials. We are not responsible for items packed by the customer. Boxes containing fragile or breakable items must be properly labeled. We reserve the right to decline any moves consisting of extremely large or fragile items.

2.7 Articles, Special Servicing

The rates and charges in this tariff do not include servicing or connection of appliances such as freezers, refrigerators, washers, dryers, and similar articles.

2.8 Waiting Time

Customers will be charged for waiting time the same as the appropriate hourly rate.

Effective Date: _ _ _ _ _

Page 6 of 9

Upward Endeavors, LLC d/b/a Two Men and a Truck of Greenville South Carolina Household Goods Tariff

2.9 Overnight Storage

Overnight storage of a customer's items on a truck or in storage will be charged at a rate of \$250.00 per night.

2.10 Hotel Fee

For moves within South Carolina totaling more than 150 miles one way or upon request, there will be a hotel fee of \$250.00 for two men or \$350.00 for three men per night.

2.11 Holding Fee

If customer needs items held on a truck on a scheduled move day, the customer will be charged a fee of \$400.00 for up to 4 hours. If the time exceeds 4 hours the fee will be \$600.00.

SECTION 3

3.0 RULES AND REGULATIONS

3.1 Claims

Although our movers will be careful with your possessions, from time to time damages may occur. If damages are caused by our service, we reserve the right to repair the damage(s) in question or compensate at the level of coverage chosen, as set forth below. If we determine that damage(s) cannot be repaired, customer will be compensated based on the level of coverage chosen, as set forth below.

3.0.1 Basic Valuation

This coverage is free with the customer move. Two Men and a Truck's maximum liability shall be \$0.60 per pound for the actual weight on any lost or damaged article or articles, if the shipment has been expressly released by you to such value per article. Under this option, a claim for any article that may be lost, destroyed, or damaged while in the custody of Two Men and a Truck will be settled based upon the weight of the individual article multiplied by 60 cents. For example, damages to an item weighing 400 pounds would result in a maximum claim settlement of \$240. This value is often less than the actual value of your articles. Coverage for claims to structure to include but not limited to walls, floor coverings, and door frames are limited to \$150.00 per contract.

3.0.2 Full Replacement Coverage

Additional coverage options provided upon request.

Coverage for claims to structure to include but not limited to walls, floor coverings, and door frames are limited to \$400.00 per contract.

3.2 Presentation of Claims

If there is damage you discover on the day of your move, notify us immediately. All claims for loss, damage or overcharge must be written and attached to the Bill of Lading. In the event you have claims for concealed damage, Two Men and a Truck of Greenville must be given a reasonable opportunity to inspect damaged items in their original packing. Our movers will complete a Damage Report before they leave your site.

If you discover damage after the move, call the office within 96 hours of your move.

No damage claims will be honored until the charges for moving services are paid in full. You will be asked to

Effective Date: _____

Page 8 of 9

Upward Endeavors, LLC d/b/a Two Men and a Truck of Greenville South Carolina Household Goods Tariff

3.3 Governing Publications

Our rates and charges are governed by the terms and conditions of this tariff, and the Rules and Regulations of the South Carolina Public Service Commission.

3.4 Items of Particular Value

We do not assume any liability whatsoever for documents, currency, credit cards, jewelry, watches, precious stones or articles of extraordinary value including accounts, bills, deeds, evidences of debt, securities, notes, postage stamps, stamp collections, trading stamps, revenue stamps, letters or packets of letters, alcoholic beverages, firearms, coin collections, articles of peculiarly inherent or intrinsic value, precious metals or articles manufactured there from. We will not accept responsibility for safe delivery of such articles if they come into our possession with or without our knowledge.

3.5 Bill of Lading, Contract Terms, and Conditions

Each customer will be provided with a digital copy of Two Men and a Truck of Greenville's Bill of Lading. The terms and conditions of the Bill of Lading, attached hereto, are hereby incorporated by reference.

3.6 Delays

Two Men and a Truck of Greenville shall not be liable for any damages resulting from delays in transporting household goods resulting from an act of God or fault or neglect of any unforeseen entities.

Effective Date: _ _ _ _ _

Page 9 of 9